

Serial No. 51711

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office DEC 28 1987

Returned to applicant for correction

Corrected application filed Map filed DEC 28 1987 under 51710

The applicant Echo Bay Minerals Company

5250 Neil Road - Suite 300 of Reno  
Street and No. or P.O. Box No. City or Town

Nevada (89502) hereby make Application for permission to change the  
State and Zip Code No.

Manner and Place of Use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 27090, Certificate 8396

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

Identify right in Decree.)

1. The source of water is Underground  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 2.4 cfs  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Mining, Milling and Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 28, T29N, R43E,  
Describe as being within a 40-acre subdivision of public survey and by course and  
MDM, or at a point from which the W $\frac{1}{4}$  corner of said Section 28 bears,  
distance to a section corner. If on unsurveyed land, it should be stated.

S 50° W a distance of 59 feet

6. The existing permitted point of diversion is located within SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 28, T29N, R43E,  
If point of diversion is not changed, do not answer.  
MDM, or at a point from which the W $\frac{1}{4}$  corner of said Section 28 bears,  
S 50° W a distance of 59 feet

7. Proposed place of use Refer to attached Exhibit "A"  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use N $\frac{1}{2}$  Section 28, T29N, R43E, MDM 310 acres  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) Existing drilled and cased well,  
State manner in which water is to be diverted, i.e. diversion structure, ditches,

submersible pump, 4-1/2 miles of waterline, storage reservoir  
pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$300,000

13. Estimated time required to construct works Existing

14. Estimated time required to complete the application of water to beneficial use.....Six Years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

.....This application together with the accompanying applications, plus Permit 49249 are intended to change all the water as set forth in Permit 27090, Certificate 8396 and Permit 27091, Certificate 8397 to Mining, Milling and Domestic purposes. Applicant intends to utilize both wells with the understanding that the combined annual duty derived from Permits 27090 and 27091 will not exceed the combined annual duty of 1,240 acre feet.

By s/Ross E. de Lipkau  
Post Office Box 2790  
Reno, Nevada (89505)

Compared.....ijk/se.....pm/se.....

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use and manner of use of the waters of an underground source as heretofore granted under Permit 27090, Certificate 8396 is issued subject to the terms and conditions imposed in said Permit 27090, Certificate 8396 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 49249, 51711 and 51712 shall not exceed 1240 acre-feet annually.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under (CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not

to exceed.....2.4.....cubic feet per second, but not to exceed 740  
acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....May 16, 1989

Proof of completion of work shall be filed before.....June 16, 1989

Application of water to beneficial use shall be made on or before.....May 16, 1990

Proof of the application of water to beneficial use shall be filed on or before.....June 16, 1990

Map in support of proof of beneficial use shall be filed on or before.....N/A

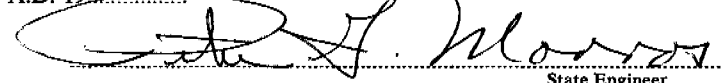
Completion of work filed.....JUN 27 1989.....IN TESTIMONY WHEREOF, I.....PETER G. MORROS.....

Proof of beneficial use filed.....JUN 16 1990.....State Engineer of Nevada, have hereunto set my hand and the seal of  
my office, this.....12th.....day of.....October.....

Cultural map filed.....

Certificate No. 12515 Issued SEP 18 1990

A.D. 19 88

  
State Engineer

(PERMIT TERMS CONTINUED)

this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

## EXHIBIT A

## NEW PLACE OF USE

T30N R42E MDM

Sections 26, 27, 34, 35, 36

T30N R43E MDM

Section 30

T29N R42E MDM

Sections 1, 2, 3, 10, 11, 12, 13, 14, S 1/2 15, E 1/2 16,  
23, 24, 25, 26, S 1/2 27, S 1/2 28, S 1/2 29,  
SE 1/4 30, E 1/2 31, 32, 33, 34, 35, 36

T29N R43E MDM

Sections 4, SW 1/4 5, 6, 7, W 1/2 8, 10, S 1/2 14, E 1/2 16,  
W 1/2 17, 18, 19, 20, 21, 22, W 1/2 23, 24, 25, 26,  
27, S 1/2 28, 29, 30, 31, 32, 33, 34,  
W 1/2, SE 1/4, SE 1/4 NE 1/4, 35, 36

T28N R42E MDM

Sections 1, 2, 3, 4, 5, N 1/2 8, 9, 10, 11, 12, 13, 14, 15,  
22, 23, 24

T28N R43E MDM

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15,  
16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27